

House Engrossed Senate Bill

**FILED**

**KEN BENNETT  
SECRETARY OF STATE**

State of Arizona  
Senate  
Forty-ninth Legislature  
First Regular Session  
2009

CHAPTER 178

# **SENATE BILL 1175**

AN ACT

AMENDING TITLE 36, CHAPTER 20, ARTICLE 1, ARIZONA REVISED STATUTES; RELATING  
TO SURGICAL ABORTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 36, chapter 20, article 1, Arizona Revised Statutes,  
3 is amended by adding section 36-2153, to read:

4 36-2153. Performance of an abortion by individual who is not a  
5 physician; prohibition

6 A. AN INDIVIDUAL WHO IS NOT A PHYSICIAN SHALL NOT PERFORM A SURGICAL  
7 ABORTION.

8 B. FOR THE PURPOSES OF THIS SECTION:

9 1. "PHYSICIAN" MEANS A PERSON WHO IS LICENSED PURSUANT TO TITLE 32,  
10 CHAPTER 13 OR 17.

11 2. "SURGICAL ABORTION" MEANS THE USE OF A SURGICAL INSTRUMENT OR A  
12 MACHINE TO TERMINATE THE CLINICALLY DIAGNOSABLE PREGNANCY OF A WOMAN WITH  
13 KNOWLEDGE THAT THE TERMINATION BY THOSE MEANS WILL CAUSE, WITH REASONABLE  
14 LIKELIHOOD, THE DEATH OF THE UNBORN CHILD. SURGICAL ABORTION DOES NOT  
15 INCLUDE THE USE OF ANY MEANS TO INCREASE THE PROBABILITY OF A LIVE BIRTH, TO  
16 PRESERVE THE LIFE OR HEALTH OF THE CHILD AFTER A LIVE BIRTH, TO TERMINATE AN  
17 ECTOPIC PREGNANCY OR TO REMOVE A DEAD FETUS. SURGICAL ABORTION DOES NOT  
18 INCLUDE PATIENT CARE INCIDENTAL TO THE PROCEDURE.

APPROVED BY THE GOVERNOR JULY 13, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 13, 2009.